

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference M.BM.0667.WO		FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/002481		International filing date (day/month/year) 11.03.2004		Priority date (day/month/year) 11.04.2003
International Patent Classification (IPC) or national classification and IPC				
Applicant BACHOFEN + MEIER AG				

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input checked="" type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/002481

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-9 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-8 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/5-5/5 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/002481

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims 1-8	YES
		Claims 1, 2, 6	NO
	Inventive step (IS)	Claims 4, 8-10	YES
		Claims 1, 2, 3, 5, 8	NO
	Industrial applicability (IA)	Claims 1-8	YES
		Claims	NO
2.	Citations and explanations (Rule 70.7)		
1	This report makes reference to the following documents:		
	D1:	US 4 019 906 A (RIDLEY KENNETH ARTHUR) 26 April 1977 (1977-04-26)	
	D2:	US 6 146 708 A (KAMITANI KIYOSHI) 14 November 2000 (2000-11-14)	
	D3:	DE 101 17 668 A (BACHOFEN & MEIER AG BUELACH) 10 October 2002 (2002-10-10)	
	D4:	EP 0 595 295 A (MITSUBISHI CHEM IND) 4 May 1994 (1994-05-04)	
	D5:	US 3 632 403 A (GREILLER JACK F) 4 January 1972 (1972-01-04)	
2	INDEPENDENT CLAIM 1		
2.1	The present application does not meet the requirements of PCT Article 33(1), because the subject matter of claim 1 does not involve an inventive step within the meaning of PCT Article 33(3).		
2.1.1	Document D1 is regarded as the prior art closest to the subject matter of claim 1. D1		

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

discloses (the reference signs in parentheses refer to D1): a device for coating a continuous web of material (11), with a casting container (1) having

- a casting surface for discharging the coating material in a free falling curtain (8),
- at least one distribution chamber (2b) that extends transversely to the direction of circulation of the web and has a supply line (2a) for coating material and a discharge slit (2c) that discharges onto the casting surface and
- two downwardly extending lateral guide elements (4,5) for the edges of the curtain (8), the top ends of the lateral guide elements (4,5) being bent such that they correspond to the course of the casting surface, and the coating material supply line (2a) in the central area of the casting container (1) leading into the distribution chamber (2) (cf. column 4, lines 30-59 and figures 1, 6 and 7).

2.1.2 Therefore, the subject matter of claim 1 differs from that known from D1 in that the lateral guide elements can be fastened to the casting surface so as to be transversely displaceable.

2.1.3 Consequently, the problem to be solved by the present invention can be regarded as that of

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

rendering the different coating widths adjustable.

2.1.4 The solution to the problem as proposed in claim 1 of the present application cannot be regarded as involving an inventive step (PCT Article 33(3)) for the following reasons: D2 discloses a casting container with adjustable coating widths (see figure 9).

2.1.5 Therefore, a person skilled in the art would combine all of the features disclosed in D1 and D2 in order to solve the problem of interest, without thereby being inventive. Consequently, the solution proposed in independent claim 1 cannot be regarded as inventive (PCT Article 33(3)).

3 DEPENDENT CLAIMS 2, 3, 5 AND 8
Dependent claims 2, 3, 5 and 8 contain no features that, in combination with the features of any claim to which they refer, meet the PCT requirements for inventive step (PCT Article 33(3)), since all of the features of these claims appear to be known in conjunction with a known effect and/or to refer to slight variations that are a matter of standard practice to a person skilled in the art.

4 DEPENDENT CLAIMS 4, 6, AND 7
The combination of features in the dependent

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/002481

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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claims is neither known from nor rendered
obvious by the available prior art.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/002481

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

See Box V.